

# UTILITY PATENT APPLICATION TRANSMITTAL

(for continuation/divisional/continuation-in-part applications under 37 C.F.R. § 1.53(b))

22581 U.S. PTO  
10/691919



Customer No. 000201  
Attorney Docket Number: F3259(C)  
Applicant: Buter et al.  
For: Process for Extruding Ice Cream, Apparatus for Achieving Such Extrusion and Products Resulting Therefrom  
Express Mail Label No.: ER 292 456 721 US  
Date Deposited: October 23, 2003  
UNUS No.: Y2-0276-A-UNI  
Assignee: Good Humor - Breyers Ice Cream

To: Commissioner for Patents  
Box: Patent Application  
P.O. Box 1450  
Alexandria, VA 22313-1450

## APPLICATION ELEMENTS

1. ☒ Fee Calculation (Box 15) and Authorization (Triplicate copies of this form are enclosed)
2. ☒ Specification and Claims (18) Total Pages
3. ☒ Informal Drawings (6) Total Sheets
4. ☒ Executed Declaration
  - a. ☐ New
  - b. ☒ Copy from a prior application (37 C.F.R. § 1.63(d)) (for continuation/divisional with Box 14 completed).
    - i. ☐ Signed statement attached deleting inventors named in the prior application (37C.F.R. § 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation by reference (*useable if Box 4(b) is checked*). The entire disclosure of the prior application, from which a copy of the declaration is supplied under Box 4(b), is considered as being part of the accompanying application and is hereby incorporated by reference herein.
6. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Copy
  - b. ☐ Paper copy (identical to computer copy)
  - c. ☐ Statement verifying identify of above copies.

## ACCOMPANYING APPLICATION PARTS

7. ☒ IDS PTO-1449
8. ☐ Copies of IDS citations
9. ☒ Preliminary Amendment
10. ☒ Two (2) Return Receipt Postcards
11. ☐ Certified Copy of Priority Document
12. ☐ The benefit under 35 U.S.C. § 119 is claimed of the filing of:
13. ☐ Other:
14. ☒ If a **CONTINUING APPLICATION**, check appropriate box and supply requisite information:
  - ☒ Continuation ☐ Divisional ☐ Continuation-in-Part (CIP)
  - of prior application No.: 09/833,987-; title: Process for Extruding Ice Cream apparatus for Achieving Such Extrusion and Products Resulting Therefrom.
  - a1. ☐ Amend the specification by inserting before the first line:  
--This is a <continuation, divisional or continuation-in-part> **SECY - CHOOSE ONE** of Serial No. \_\_\_\_\_  
filed \_\_\_\_\_, which was a national stage filing under 35 USC 371 of PCT/XX/\_\_\_\_\_ filed \_\_\_\_\_ which International Application was published by the International Bureau in English on \_\_\_\_\_

a2. ☒ Amend the specification by inserting before the first line:  
-This is a continuation of Serial No. 09/833,987 filed April 12, 2001--

- b. ☒ The prior application is assigned to Good Humor - Breyers Ice Cream.  
c. ☒ Priority of foreign application No. 00303174.7 filed on April 14, 2000, in the country of Europe is claimed under 35 U.S.C. § 119. A certified copy of the foreign priority application has been filed in prior application Serial No. 09/833,987 filed on April 12, 2001.  
d. ☐ (Check if applicable) Abandon said prior application as of the filing date accorded this application. A duplicate copy of this form is included for filing in the prior application.  
e. ☒ (Check if applicable) Transfer the drawings from the prior application to this application. A duplicate copy of this form is included for filing in the prior application.

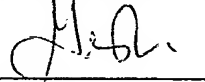
15. ☒ The FILING FEE (including any claims introduced or cancelled by Preliminary Amendment) is calculated below:

CLAIMS				
FOR	NUMBER FILED	NUMBER EXTRA	RATE	BASIC FEE \$770.00
Total Claims	12 - 20		X \$ 18.00	
Independent Claims	4 - 3		X \$ 86.00	86.00
Multiple Claims	<u>Yes</u> <u>No</u>		X \$290.00	
TOTAL FILING FEE . . .				\$856.00

16. ☒ Charge \$856.00 to Deposit Acct. #12-1155. Triplicate copies of this letter are enclosed.  
17. ☒ The Commissioner is hereby authorized to charge any additional fees, which may be required, including all required fees under  
[X] 37 C.F.R. § 1.16;  
[X] 37 C.F.R. § 1.17;  
[X] 37 C.F.R. § 1.18.  
18. ☒ Correspondence Address:

CUSTOMER NUMBER: 000201

Respectfully submitted,



Gerard J. McGowan  
Attorney of Record  
Reg. #29,412

GJM/pod  
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